

REMARKS/ARGUMENTS

The Office Action mailed October 25, 2006 has been carefully considered.
Reconsideration in view of the following remarks is respectfully requested.

Claim Status and Amendment to the Claims

Claims 1-74 are now pending. Claims 52-71 stand allowed.

Applicants gratefully acknowledge the indication of allowance of claim 52-71.
Applicants are further grateful for the indication of allowability of claims 6-8, 12-13, 19-21, 25-26, 32-34, and 38-39, subject to their re-writing in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 14, 27, 40, and 46 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for the amendment may be found on page 16, lines 5-6 of the present specification.

New claims 72-74 have been added, which also particularly point out and distinctly claim subject matter regarded as the invention. Support for these claims may be found in the specification, page 19, lines 14-15, page 20, lines 18-19, and page 21, lines 10-11.

No new matter has been introduced by this amendment.

The 35 U.S.C. §102 Rejection

Claims 1-2, 14-15 and 27-28 stand rejected under 35 U.S.C. §102(a) as being allegedly anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Jacobson et al. (U.S. Pat. No. 6,044,402), among which claims 1, 14, and 27 are independent claims. This rejection is respectfully traversed.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also*, M.P.E.P. §2131.

Claim 1 defines a method for controlling subscriber access in a network capable of establishing connections with a plurality of domain sites. The claimed method comprising (a) receiving, at an access server located on a wide area network, said access server coupled to a first communication network and a second communication network, a communication from a subscriber on said first communication network, said communication optionally including a domain site identifier associated with a domain site on said second communication network, and (b) authorizing subscriber access to said domain site on said second communication network upon determining, in response to said receiving, that said domain site identifier is included in a list of authorized domain sites associated with a virtual circuit through which said communication is received, as recited in claim 1 as amended.

In the Office Action, the Examiner alleges that the elements of the presently claimed invention are disclosed in Jacobson. The Examiner specifically equates Jacobson's gateway 106 with the claimed access server, Jacobson's first subnet 102-1 with the claimed first communication network, Jacobson's second subnet 102-2 with the claimed second communication network, Jacobson's destination address 146 (in a network header 142 of each communication packet 114) with the claimed domain site identifier, and Jacobson's network address access list 212 with the claimed list of authorized domain site. Furthermore, in the "Response to Arguments" section of the Office Action, the Examiner alleges that "domain site identifier" is given the broadest and reasonable interpretation in light of the specification, and that Jacobson's blocking controller 170 which determines whether to block or authorize the connection based on the network access list 212 teaches the claimed method for controlling subscriber access in a network capable of establishing connections with a plurality of domain sites. The Applicant respectfully disagrees for the reasons set forth below.

As recited in claim 1 as amended, the claimed access server is on a wide area network (WAN), and coupled to a first communication network such as a publicly switched telephone network (PSTN) or integrated services digital network (ISDN) (see FIG. 4 of the present specification) and to a second network such as the WAN. On the other hand, in Jacobson, the local gateway 106-1 and the network connection blocker (NCB) 108 which includes the blocking controller 107 are provided within a protected subnet 102 (see FIGS 1 and 8 of Jacobson) such as

a local area network (LAN) or private network of a company. That is, Jacobson's gateway 106 (106-1) corresponds to a conventional "internal access point" as noted on page 8, the last line through page 9, line 3 of the present specification. Accordingly, Jacobson does not disclose, teach or suggest an access server on a wide area network which is outside of such a private network or protected subnet.

It should be noted that, since Jacobson's local gateway 106 (and corresponding NCB 108) is an internal access point located within a protected subnet (private intranet), the local gateway 106 cannot be operated by telephone companies (Telcos) or internet service providers (ISPs). That is, in Jacobson, each subnet (private intranet) must have such a local gateway which monitor/control network connections from the inside of the subnet to "provide security ... to protect its electronic resources or property" (see column 1, lines 52-53 of Jacobson). This also teaches away from the claimed access server provided on a wide area network.

Accordingly, Jacobson fails to disclose, teach, or suggest the claimed access server located on a wide area network, which authorizes subscriber access to said domain site on said second communication network upon determining ... that said domain site identifier is included in a list of authorized domain sites associated with a virtual circuit through which said communication is received, as recited in claim 1.

Claims 14 and 27 also include substantially the same distinctive features as claim 1. Accordingly, it is respectfully requested that the rejection of claims based on Jacobson be withdrawn.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

The 35 U.S.C. §103 Rejection

Claims 3-5, 9-11, 16-18, 22-24, 29-31, 35-37, 40 and 42-51 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Jacobson et al. (U.S. Pat. No. 6,044,402), in

view of Loehndorf, Jr. et al. (U.S. Pat. No. 6,094,437), among which claims 40 and 46 are independent claims.

This rejection is respectfully traversed.

According to M.P.E.P. §2143,

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.

Furthermore, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

In the Office Action, the Examiner specifically contends that the elements of the presently claimed invention are disclosed in Jacobson, except that Jacobson does not teach that the communication comprises a PPP session, which in turn comprises a tunneling session, and that the PPP session is forwarded onto a tunnel with assigned tunnel ID when the subscriber is authorized. The Examiner further contends that Loehndorf teaches the missing features and that it would be obvious to one having ordinary skill in the art at the time of the invention to incorporate Loehndorf into Jacobson in order to securely send data between networks and to provide needed and improved functionality. The Applicants respectfully disagree for the reasons set forth below.

With respect to dependent claims of claim 1, 14, and 27, Jacobson, the primary reference, fails to teach the claimed access server located on a wide area network, which authorizes subscriber access to said domain site on said second communication network upon determining ... that said domain site identifier is included in a list of authorized domain sites associated with a virtual circuit through which said communication is received, as discussed above. Accordingly, it is respectfully submitted that dependent claims 3-5, 9-11, 16-18, 22-24, 29-31, and 35-37 are patentable at least for the same reasons.

Claims 40 and 46, as amended, include substantially the same distinctive features as those of claim 1 as discussed above. Thus, the same arguments equally apply here. Jacobson, whether considered alone or combined with or modified by Loehndorf, does not teach or suggest the claimed invention as recited in claims 40 and 46.

Accordingly, it is respectfully requested that the rejection of claims based on Jacobson and Loehndorf be withdrawn. In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Other Dependent Claims

Claims 41-44 depend from claim 40, and claims 47-50 depend from claim 46, and thus include the limitations of claims 40 and 46, respectively. The argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable at least for the same reasons.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

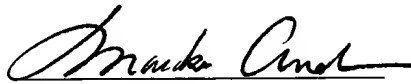
It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1698.

Respectfully submitted,
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Dated: 01/25/2007


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